

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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R Wayne Johnson,

Case No. 22-cv-0304 (WMW/BRT)

Plaintiff,

**ORDER**

v.

Sarah Pfieffer et al.,

Defendants.

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This matter is before the Court on Plaintiff R Wayne Johnson's motion to vacate the Court's July 5, 2022 Order. (Dkt. 16.) The July 5, 2022 Order adopted United States Magistrate Judge Becky R. Thorson's June 1, 2022 Report and Recommendation. The Court construes Johnson's motion as a motion for reconsideration

Under the Local Rules, a party may file a motion to reconsider only with the Court's prior permission and after establishing "compelling circumstances." LR 7.1(j). Motions to reconsider serve "a limited function: to correct manifest errors of law or fact or to present newly discovered evidence." *Hagerman v. Yukon Energy Corp.*, 839 F.2d 407, 414 (8th Cir. 1988) (internal quotation marks omitted). Such motions may not serve as "a vehicle to introduce new evidence" that could have been raised earlier or "serve as the occasion to tender new legal theories for the first time." *Id.* (internal quotation marks omitted).

Johnson did not seek permission to file the pending motion to reconsider. But even construing Johnson's *pro se* filing as a *request* to file a motion for reconsideration,

the Court denies Johnson's request. Johnson's filing does not demonstrate any compelling circumstances warranting permission to file a motion to reconsider. *See* LR 7.1(j).

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Plaintiff R Wayne Johnson's motion to vacate the Court's July 5, 2022 Order, (Dkt. 16), is **DENIED**.

Dated: August 11, 2022

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge